

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BARBARA DELUCA, DREW R. NAYLOR,
PEGGY ROLLO, PETER BEDDIA, MICHAEL
OLES, ROBERT (BOB) RICCI, and JAMES
STAPLES, as Trustee of the 616 MOVED
TRUST, on behalf of themselves and other
similarly situated limited partners,

Plaintiffs,

v.

GPB HOLDINGS, LP, et al,

Defendants.

Case No. 1:19-cv-10498-LAK-JW

ORDER STAYING ACTION

WHEREAS, on November 2, 2023, the Auditor Defendants filed their respective motions to dismiss Plaintiffs' Second Amended Class Action Complaint ("SAC") (*see* ECF Nos. 278, 280, 284, 288, and 291);

WHEREAS, the current deadline for substantial completion of document discovery is May 1, 2024 (ECF No. 325);

WHEREAS, the current deadline for completion of merits discovery is August 1, 2024 (*id.*);

WHEREAS, the Parties have agreed to engage in mediation in an attempt to resolve the claims specific to the Auditor Defendants;

WHEREAS, in light of the upcoming mediation, the Parties agree that a brief and limited stay of all deadlines and proceedings is in the best interest of all Parties, would allow the Parties to focus on attempting to reach a resolution, and would conserve party and judicial resources.

Having considered the Parties' joint letter to stay all further proceedings pending the outcome of the Parties' scheduled mediation, IT IS HEREBY ORDERED THAT:

1. All proceedings related to this Action are hereby stayed while the Parties engage in mediation, including:

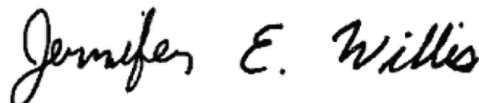
- a. all discovery, including third-party discovery; and
- b. the resolution of any pending motions including the Auditor Defendants' pending motions to dismiss the SAC, *i.e.*, ECF Nos. 278, 280, 284, 288, and 291;

2. On or before June 24, 2024, the Parties will update the Court on the outcome of their mediation; and

3. The Parties shall file a status report reporting on the result of their mediation by June 24, 2024, and, if the case has not resolved, the Parties will provide the Court with a proposed revised scheduling order that identifies for the Court the motions to dismiss that remain to be decided and allows approximately one month for the substantial completion of document discovery, with the remaining deadlines to reflect approximately the same structure as the currently pending timetable of outstanding deadlines (*e.g.*, the deadline for completion of merits discovery to occur approximately three months after the deadline for substantial completion of document discovery, and so on).

IT IS SO ORDERED.

Dated: April 24, 2024.



HONORABLE JENNIFER E. WILLIS
United States Magistrate Judge
United States District Court
Southern District of New York